REMARKS

This Amendment is in response to the Examiner's Action dated February 23, 2005.

Applicants have amended the application to recite that the claimed fine fiber layer comprises a condensation polymer having an additive material that forms a protective coating on the fiber and that the fiber layer has a defined thickness related to fiber size and less than about 30 microns and a basis weight of about 0.01 to 240 micrograms-cm^2. This Amendment is supported by the application at page 10, lines 23 to 25, page 17, lines 10 to 14 and page 22, lines 1 to 5 as filed and in the original claims. No new matter is added by way of amendment to this claim.

Applicants assert that the recited claims prior to the Amendment recited a new material in light of its properties. Applicants assert that even if the Kahlbaugh et al. materials from the reference were made in a single layer as claimed, the typical Kahlbaugh et al. layer would not have the physical properties recited in the claim. However, in order to expedite prosecution, Applicants have amended claims 145 and 163 (and cancelled other claims) to recite that the fine fiber layer is made of a condensation polymer, an additive forming a protective coating on the fiber of the layer and that the layer has a thickness of less than 30 microns and the specified basis weight. Applicants assert that this fine fiber layer is novel and different than that formed in Kahlbaugh et al.

First, the Kahlbaugh et al. reference, taken as a whole, suggests that in order to obtain a useful fine fiber layer, multiple fine fiber layers and support layers need to be formed in a multilayer structure. The Kahlbaugh et al. reference does not call out the need for a single fine fiber layer of any sort. Further, Applicants disagree with the Examiner's position that the fibers of Kahlbaugh et al. would have the fiber stability at the temperatures and humidity recited in the claims. Applicants' experience is that such fibers with such small diameters tend to be hydrolytically unstable at ambient and somewhat elevated ambient temperatures, particularly in the presence of substantial humidity. As the fiber size of the fibers is reduced, their sensitivity to temperature and pressure rapidly increase. While certain hydrophilic polymers tend to be somewhat more temperature and humidity unstable, all polymers as their diameters decrease tend to have substantially increased sensitivity to temperature and pressure. Even polyvinylchloride and other substantially hydrophobic polymers will suffer from temperature and humidity instability.

Applicants assert that the condensation polymers of the application including simple and complex nylons and polyesters tend to be somewhat more hydrolytically unstable at elevated temperature and humidity when compared to the typical hydrophobic polymers. With this in mind, Applicants have amended the claims to limit the claims to condensation polymers that have a hydrophobic coating to increase the stability of the polymer at temperature and humidity conditions recited. Further, the fine fiber layer has a defined thickness and basis weight as recited in the claim. Applicants assert that the fine fiber structure comprising a condensation polymer and a hydrophobic coating in the defined fine fiber layer is not shown in Kahlbaugh et al. Further, Applicants assert that the layer is not obvious in light of the Kahlbaugh et al. teachings, since Kahlbaugh et al. suggest a need for multiple layers in a finished structure.

In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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Date

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